IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

Mat.Appeal.No. 130 of 2007()

OP.1/2007 of FAMILY COURT, MALAPPURAM.
.....

PETITIONER: APPELLANT/PETITIONER

SAJEEV S. NAIR, AGED 33 YEARS,
S/O. SANKARAN NAIR, 'VAISAKHI',
PUTHUSSERY AMSOM DESOM, PALAKKAD TALUK.

BY ADV. SRI.K.ABDUL JAWAD
SRI.U.MUHAMMED MUSTHAFA

RESPONDENTS: RESPONDENT

R.K.REEMA, AGED 27 YEARS,
D/O. RAMAKRISHNAN, SMRITHI, THRIKKANDIYUR AMSOM
DESOM, TIRUR TALUK.

THIS MATRIMONIAL APPEAL HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH & K.T.SANKARAN, JJ.

Mat.Appeal No.130 of 2007

Dated 21st March, 2007.

J U D G M E N T

Kurian Joseph, J.

This is an appeal filed against an order dismissing O.P.1/2007 on the file of the Family Court, Malappuram, for default. In view of Section 2(2) of the Civil Procedure Code read with Section 28 of the Hindu Marriage Act, an appeal is not maintainable. This Matrimonial Appeal is accordingly dismissed, without prejudice to the liberty to the appellant to pursue the matter in appropriate proceedings.

KURIAN JOSEPH, JUDGE.

K.T.SANKARAN, JUDGE.

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KURIAN JOSEPH & K.T.SANKARAN, JJ

L.A.A. NO. OF 2004

J U D G M E N T

Dated 8th March, 2007.